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Georgia Government Transparency and Campaign Finance Commission

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www.ethics.ga.gov

Congratulations!

You are a Candidate in 2012 or

You are thinking of becoming a Candidate in 2012.

2012 is a year of elections. Many candidates may feel a mixture of excitement and nervousness as they campaign to take on new roles. If you're one of those candidates – don't worry, help is available.

There is more to running for elected office than completing a form and paying a qualifying fee. Use the basic information provided here to help identify requirements of the Campaign Finance Act of Georgia as it applies to candidates and public officials.

INTRODUCTION

This information is not all inclusive and you are encouraged to visit our website www.ethics.ga.gov for additional resource information.

With the passage of SB 17 in 2010, the Georgia Government Transparency & Campaign Finance Commission assumed all responsibilities as filing officer for all candidates and public officials in the State of Georgia. This became effective January 10, 2011. Local election superintendents, probate judges, and city clerks no longer have ANY responsibilities in relation to campaign finance other than to report who qualifies for an election and to notify the Commission of who prevailed and who lost in an election. Former Filing Officers are now called Qualifying Officers. All campaign related filings, questions, or concerns should be made by the individual Candidate or Public Official directly to the Commission staff. We are here to help.

Reference **O.C.G.A. § 21-5-30.2(b)**

No agency and no person acting on behalf of an agency shall make, directly or indirectly, any contribution to any campaign committee, political action committee, or political organization or to any candidate; but nothing in this Code Section shall prohibit the furnishing of office space, facilities, equipment, goods, or services to a public officer for use by the public officer in such officer's fulfillment of such office.

The Commission is of the opinion that local officials can receive assistance from local election superintendents in filing their Personal Financial Disclosure Statement. Here is the link to the Advisory Opinion: <http://ethics.ga.gov/references/opinions/2011-05.pdf>

Note: The Campaign Contribution Disclosure Report does not fall under this A.O.

BASIC INFORMATION TO GET YOU STARTED

Now that you have become a candidate for the purpose of reporting with the Campaign Finance Commission, there are a few things you need to do to get started. Below you will find some basic information and links that may be useful. Always remember our website, www.ethics.ga.gov is available as a resource for information and the Education & Information Division Staff is available to assist via email or phone.

1. File a Declaration of Intention to Accept Contributions – Form DOI

Reference: O.C.G.A. § 21-5-30 (g)

- Anyone who is not already a public officer and who plans to run for public office must file a Declaration of Intention to Accept Campaign Contributions BEFORE accepting such contributions. No such declaration is required of persons who are public officers and who plan to run for the same public office they currently hold. Your Form DOI is filed with the Commission.
<http://media.ethics.ga.gov/Commission/2011Forms/1/FormDOI2011.pdf>

2. File a **PIN Application for e-filing CCDR & PFD (Candidates / Elected Officials)** – Form CCDR/FD PIN Application

- Allows access to the Commissions online e-filing system for Campaign Contribution Disclosure Reports and Personal Financial Disclosure Statements.
<http://media.ethics.ga.gov/Commission/2011Forms/4/CCDRFDPIN-Candidate2011.pdf>
- You will receive two emails: one that has a Filer ID that starts with the letter “C” to file your CCDRs and one that has a Filer ID that starts with the letter “F” to file your PFD.

3. If you have designated someone to file your reports or if anyone is collecting your contributions or expending your contributions, file a **Registration Form for a Candidate’s Campaign Committee - Form RC** with the Commission.

<http://media.ethics.ga.gov/Commission/2011Forms/2/FormRC2011.pdf>

Reference: O.C.G.A. § 21-5-3(2) and O.C.G.A. § 21-5-30(b)

- The term “campaign committee” as it relates to the candidate means the candidate, person(s) or committee which accepts contributions or makes expenditures for the purpose of bringing about the nomination or election of an individual to any elected office.
- If a candidate has a campaign committee, the name and address of the committee, its chairperson, treasurer and the candidate must be registered with the Commission prior to accepting any contributions.
- No candidate may have more than one campaign committee.
- No contributions may be accepted at any time there is a vacancy in either the position of chairperson or treasurer. One person may serve as both chairperson and treasurer.
- “Registration Form for a Candidate’s Campaign Committee” is filed with the Commission.
- When a candidate is elected to office, the candidate’s campaign committee registration will remain in effect as long as the candidate remains in office until and unless the registration is canceled by the campaign committee or the candidate.
- Any substantive changes to registration information of a committee must be updated with the Commission within 7 business days

4. File a form for **Choosing Option of Separate Accounting - Form COOSA**

Reference: O.C.G.A. § 21-5-43 (a) (2)

- A candidate who wishes to accept contributions for more than one election at a time shall separately account for such campaign contributions and shall file an “Option to Choose Separate Accounting” form with the **Commission** prior to accepting contributions for any election other than the candidate’s next upcoming election.
- A candidate is only required to file one Form COOSA which shall be utilized for all subsequent elections to the same office, regardless of whether an election occurs in a new election cycle.
<http://media.ethics.ga.gov/Commission/2011Forms/3/FormCOOSA2011.pdf>

5. File reports according to your schedule.

- In a non election year CCDR’s are due June 30 and December 31. A PFD is due between January 1 and July 1.
- In an election year CCDR’s are due March 31, June 30, September 30, October 25, and December 31. A PFD is due not later than 15 days after you qualify; unless you are running for a Statewide position then your PFD is due not later than 7 days after you qualify.
Statewide candidates include: Governor, Attorney General, Commissioner of Agriculture, Commissioner of Insurance, Commissioner of Labor, Lieutenant Governor, Public Service Commission, Secretary of State, State School Superintendent
- If you are in a Special Election you are required to file a CCDR 15 days before the Special Election and again December 31. A PFD is due not later than 15 days after you qualify; unless you are running for a Statewide position then your PFD is due not later than 7 days after you qualify.

6. Reports

- **Campaign Contribution Disclosure Report (CCDR):** A CCDR is a report filed with the Commission by a candidate or the chairperson or treasurer of a campaign committee setting forth all expenditures and contributions. Itemize all contributions and expenditures more than \$100.00; and aggregate totals of all contributions and expenditures \$100.00 or less.
- **Personal Financial Disclosure Statement(PFD):** Every public officer and every candidate for election as a public officer must file a PFD covering the period of the preceding calendar year.
- Only one PFD is required per calendar year.
- **Two Business Day Report (TBD):** The TBD Report addresses the period of time between the last reports due prior to the date of any election for which the candidate is qualified and the date of the election. The TBD Report requires the disclosure of all contributions (including loans) of \$1000.00 or more and must be reported within two-business days of receipt of the contribution. Don't forget that the contribution must be reported on the next succeeding regularly scheduled Campaign Contribution Disclosure Report also.
- A TBD must be sent by facsimile or electronic transmission (efile) within two business days of receipt of contribution.
- **Termination Statement:** All campaigns and committees must file a termination statement within ten days of the dissolution of a campaign or committee which shall, among other things, identify the person responsible for maintaining campaign records as required by the Act. The termination statement shall be submitted with a final Campaign Contribution Disclosure Report which identifies a zero balance and zero indebtedness. This report is called the Final Report & Termination Statement.

7. Campaign Record Keeping

- Contributions of money received by the candidate or the candidate's campaign committee must be promptly deposited in a **separate campaign depository account** (*separate from the personal banking account of the candidate*) opened and maintained for this purpose.
- The account may be an interest bearing account and any interest earned will be deemed a contribution to the campaign committee; interest earned is not payable to the candidate.
- The candidate or treasurer of each campaign committee must keep detailed accounts, current within not more than five (5) days after the receipt of a contribution or making of an expenditure.
- The Ethics in Government Act, specifically O.C.G.A. § 21-5-41(k), directs the State Ethics Commission to raise or lower the maximum contribution limits set forth in O.C.G.A. § 21-5-41 by \$100 increments based on inflation or deflation as determined by the Consumer Price Index published by the Bureau of Labor Statistics of the United States Department of Labor. Such limitations shall apply until they are subsequently reviewed by the Commission. Review the website frequently to ensure you are adhering to the current limits.

8. Maximum Allowable Contribution Limits:

The Act, specifically O.C.G.A. § 21-5-41(k), directs the Commission to raise or lower the maximum contribution limits set forth in O.C.G.A. § 21-5-41 by \$100 increments based on inflation or deflation as determined by the Consumer Price Index published by the Bureau of Labor Statistics of the United States Department of Labor. Such limitations shall apply until they are subsequently reviewed by the Commission.

No person, corporation, political committee, or political party shall make, and no candidate or campaign committee shall receive from any such entity, contributions to any candidate for state-wide elected office which in the aggregate for an election cycle exceed:

Candidates for State-Wide Offices

Six thousand three hundred dollars (\$6,300.00) for a primary election

Three thousand seven hundred dollars (\$3,700.00) for a primary run-off election

Six thousand three hundred dollars (\$6,300.00) for a general election

Three thousand seven hundred dollars (\$3,700.00) for a general run-off election

Candidates for All Other Offices

Two thousand five hundred dollars (\$2,500.00) for a primary election

One thousand three hundred dollars (\$1,300.00) for a primary run-off election

Two thousand five hundred dollars (\$2,500.00) for a general election

One thousand three hundred dollars (\$1,300.00) for a general run-off election

The Commission offers free training workshops. Visit our website www.ethics.ga.gov and under the Education header, view training workshops & RSVP.

<http://media.ethics.ga.gov/training/trainingSCHD.aspx>

If you have any questions or concerns or simply need more information please feel free to contact the Education & Information Division Staff at 404-463-1980. The email contacts are mbazile@ethics.ga.gov; vstubbs@ethics.ga.gov; sjenkins@ethics.ga.gov and bgodwin@ethics.ga.gov

Best wishes for a successful campaign. Don't hesitate to contact us if we can be of service.

Sincerely,
BeLinda

BeLinda Godwin
Director of Education & Information